

REMARKS

Claims 1-3 and 5-11 are pending in this application. By this Amendment, claims 1, 5, 7, 8 and 10 are amended. Support for the amendments to claims 1, 5 and 8 is provided in the claims, as originally filed, and support for the amendment to claims 7 and 10 is provided in the specification, for example, on page 4, line 30 - page 5, line 3. No new matter is added. Claim 4 is canceled without prejudice to, or disclaimer of, the subject matter recited in that claim. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The amendments are limited to amending independent claim 1 to include the features of a dependent claim 4, amending claims 7 and 10 to correct informalities in a manner suggested in the Office Action, and amending claims 5 and 8 to correct informalities. Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed below; (b) do not raise any new issue requiring further search and/or consideration as the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is respectfully requested.

The Office Action rejects claim 7 under 35 U.S.C. §112, second paragraph. Claim 7 is amended as suggested in the Office Action to obviate the rejection. Claim 10 is amended in a similar manner as claim 7. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 1-3, 5-7, 9 and 11 under 35 U.S.C. §103(a) over JP-A-2000-357641 to Terou et al. (hereinafter "Terou") in view of U.S. Patent No. 5,507,847

to George et al. (hereinafter "George"); rejects claim 4 under 35 U.S.C. §103(a) over Terou in view of George and further in view of U.S. Patent No. 5,975,834 to Ogawa et al. (hereinafter "Ogawa"); and rejects claims 8 and 10 under 35 U.S.C. §103(a) over Terou in view of George and further in view of U.S. Patent Application Publication No. 2002/0108334 to Rapisarda et al. (hereinafter "Rapisarda"). The rejections are respectfully traversed.

Claim 1 recites, among other features, a sheet-like electronic component clean transfer device that includes a conveying robot comprising a dust generation preventing seal structure provided to an articulated part of the arm, and a body which supports the arm and which has a vent hole arranged on a lower side of the first floor from which air is downwardly discharged upon a descending operation of the body. The combination of Terou, George and Ogawa cannot reasonably be considered to have suggested this combination of features.

The Office Action, on page 5, concedes that the combination of Terou and George fails to teach, or to have suggested the above features amended into claim 1 from now-canceled claim 7. The Office Action relies on Ogawa to overcome the deficiencies of Terou and George. In particular, the Office Action asserts on page 5 that "Ogawa additionally teaches the robot moving vertically, and therefore as the robot moves either up or down, it is inherent that there is an air, or vent, hole in the bottom, outside the clean room...." For the following reasons, Ogawa cannot reasonably be interpreted as supporting this assertion.

Contrary to the assertions made in the Office Action, Ogawa cannot reasonably be interpreted as having suggested a robot that moves vertically. As described in Ogawa, for example, in col. 8, line 62 - col. 9, line 3, Ogawa teaches a two-armed transfer robot having first and second handling members 24, 44 attached to respective arm mechanisms 23, 43. The first and second handling members 24, 44 are vertically spaced from each other such that upon horizontal movement, the two handling members do not interfere with each other.

Ogawa teaches that the handling members 24, 44 move both linearly and rotationally in a horizontal plane. Ogawa does not teach that the handling members 24, 44 move vertically.

Second, the Office Action, in unsupportable conclusory manner, asserts that Ogawa inherently teaches a vent hole outside a clean room. This assertion, even if true, fails to map features disclosed in Ogawa to the subject matter of the pending claims. Claim 1 recites a vent hole arranged on a lower side of the first floor, not a vent hole outside a clean room as asserted in the Office Action. Claim 1 recites a casing that defines a first chamber between the first floor and a fan/filter unit, and a second chamber between the first floor and a bottom part of the casing through which air can pass between the second chamber and an outside of the bottom part of the casing. As described in Applicants' specification on page 8, line 11 - page 9, line 5, air is downwardly discharged from a vent hole of the body on a lower side of the first floor, and then discharged to an outside of the casing. Claim 1 is not directed to a vent hole outside a clean room. Thus, even if Owaga inherently teaches a vent hole outside a clean room, as asserted in the Office Action, Owaga would not have suggested a vent hole having all of the combinations of features positively recited in claim 1.

Third, the Office Action fails to apply a proper standard by which to assert what Owaga may inherently teach. To establish inherency, the Office Action must provide evidence or technical reasoning that makes it clear that the missing descriptive matter "is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill in the art." Inherency may not be established by "probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *See* MPEP §2112; *In re Robertson*, 169 F3d 743, 745 (Fed. Cir. 1999). The standard requires that a basis in fact and/or technical reasoning be provided to show that "the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *See* MPEP §2112. This standard is not met here.

The Office Action fails to show that the allegedly inherent characteristic necessarily flows from the teachings of Ogawa. As noted in the Field of the Invention section of Owaga, the Owaga disclosure is directed to a two-armed transfer robot for transferring workpieces between processing chambers under a vacuum. For at least the reasons described above, and additionally because the processing chambers of Owaga are operated under a vacuum, Owaga cannot reasonably be interpreted as teaching, or having suggested, an inherent characteristic of a vent hole from which air is downwardly discharged upon a descending operation of the body.

Rapisarda is not applied in any manner that would overcome the above-identified shortfalls in the application of the combination of Terou, George and Owaga to the combination of all of the features positively recited in claim 1 claim.

For at least the foregoing reasons, no permissible combination of the above-applied references would have suggested the combination of all of the features positively recited in independent claim 1. Further, claims 2, 3 and 5-11 also would not have been suggested by any combination of the applied references for at least the respective dependence of these claims directly or indirectly on an allowable base claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of pending claims 1-3 and 5-11 under 35 U.S.C. §103(a) as being unpatentable over the varyingly-asserted combinations of applied references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of 1-3 and 5-11 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

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